

MAIL ROOM
FEB 20 1997
VERIFIED STATEMENT CLAIMING SMALL ENTITY STATUS

(37 CFR 1.9(f) & 1.27(c))-SMALL BUSINESS CONCERN

Applicant or Patentee: William G. Thorburn, Donald K. Mitchell and Bruce A. Horwitz

Serial or Patent No.: 1097

Filed or Issued: 10/97

Title: DIFFUSE SURFACE INTERFERENCE POSITION SENSOR

I hereby declare that I am

- the owner of the small business concern identified below:
 an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF SMALL BUSINESS CONCERN Micro-E

ADDRESS OF SMALL BUSINESS CONCERN 130 A Street

Needham Heights, MA 02194

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12 and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees to the United States Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in:

- the specification filed herewith with title as listed above.
 the application identified above.
 the patent identified above.

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d), or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization having any rights in the invention is listed below:

- no such person, concern, or organization exists.
 each such person, concern or organization is listed below.

Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Donald K. Mitchell

TITLE OF PERSON IF OTHER THAN OWNER President

ADDRESS OF PERSON SIGNING MicroE, 130 A Street, Needham Heights, MA 02194

SIGNATURE Donald K. Mitchell

DATE

2/18/97

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

59227 U.S. PTO
08803420Declaration for Patent Application02/20/97


As a named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated next to my name;

I believe I am the original, first and sole inventor (if only one name is listed) or an original, first and joint inventor (if plural names are listed in the signatory page(s) commencing at page 3 hereof) of the subject matter which is claimed and for which a patent is sought on the invention entitled

DIFFUSE SURFACE INTERFERENCE POSITION SENSOR

the specification of which (check one)

is attached hereto.

was filed on _____ as United States Application Number or PCT International Application Serial No. _____
and was amended on _____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is known by me to be material to patentability as defined in 37 C.F.R. §1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

(Number)	(Country)	(Day/Month/Year filed)	Priority Not Claim
_____	_____	_____	[]
_____	_____	_____	[]
_____	_____	_____	[]

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

(Application Number)	(Filing Date)
_____	_____

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information known by me to be material to patentability as defined in 37 C.F.R. §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.) (Filing date) (Status, patented, pending, abandoned)

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(Application Serial No.) (Filing date) (Status, patented, pending, abandoned)

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith.

I also hereby grant additional Powers of Attorney to the following attorney(s) and/or agent(s) to file and prosecute an international application under the Patent Cooperation Treaty based upon the above-identified application, including a power to meet all designated office requirements for designated states:

David E. Brook	Reg. No. 22,592	Thomas O. Hoover	Reg. No. 32,470
James M. Smith	Reg. No. 28,043	Alice O. Carroll	Reg. No. 33,542
Leo R. Reynolds	Reg. No. 20,884	N. Scott Pierce	Reg. No. 34,900
Patricia Granahan	Reg. No. 32,227	Richard A. Wise	Reg. No. 18,041
Mary Lou Wakimura	Reg. No. 31,804		

all of Hamilton, Brook, Smith and Reynolds, P.C., Two Militia Drive,
Lexington, Massachusetts 02173;

and _____

Send correspondence to: _____
James M. Smith, Esq.
HAMILTON, BROOK, SMITH & REYNOLDS, P.C.
Two Militia Drive
Lexington, Massachusetts 02173

Direct telephone calls to: _____ James M. Smith, Esq.

_____ (617) 861-6240

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole
or first inventor William G. Thorburn *1-Nov-61*

Inventor's
Signature _____ Date _____

Residence 24 Rachel Lane
Whitinsville, Massachusetts 01588

Citizenship U.S.A. *MA*

Post Office Address As above

Full name of second joint
inventor, if any Donald K. Mitchell

Inventor's
Signature _____ Date _____

Residence 543 Walnut Street
Newton, Massachusetts 02160

Citizenship U.S.A.

Post Office Address As above

Full name of third joint
inventor, if any Bruce A. Horwitz

Inventor's
Signature _____ Date _____

Residence 76 Judith Road
Newton Centre, Massachusetts 02159

Citizenship U.S.A.

Post Office Address As above
